

JC10 Rec'd PTO 11 APR 2005

#4

PATENT
Attorney Docket 051530-5007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Matthew GONDA et al.**)
Application No. **10/508,965**)
Filed: **September 23, 2004**)
For: **Recombinant Expression Vectors**)
For Functional Na_v1.9 Sodium Channels)

Art Unit: **Not Assigned**

Examiner: **Not Assigned**

Mail Stop Missing Parts

U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, VA 22314

RESPONSE TO NOTICE OF MISSING PARTS

1. This paper is filed in response to the Notice of Missing Parts of Nonprovisional Application 10/508,965 dated February 23, 2005. A copy of the Notice of Missing Parts is enclosed along with the combined declaration for patent application and power of attorney executed by the inventors.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an extension of time, please consider this a petition therefor.
3. Fee Calculation (37 C.F.R. 1.492):

CLAIMS FOR FEE CALCULATION						
	Remaining		Previously Paid	Extra	Rate	Fee
Total Claims	33	minus	33	0	\$50 each	0.00
Independent Claims	3	minus	3	0	\$200 each	0.00
Basic Filing Fee						Previously Paid
First presentation of Multiple dependent claim					\$360.00	0.00
Oath or Declaration after 30 Months from Priority Date					\$130.00	\$130.00
Sub-total =						= \$130.00
Reduction by 1/2 for filing by a small entity						- 65.00
Total Fee =						\$65.00

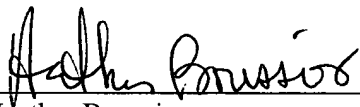
04/13/2005, LLANDGRA 00000055 500310 10508965
01 FC:2617 65.00 DA

4. Fee Payment: The Commission is hereby authorized to charge **\$65.00** to Deposit Account 50-0310 for payment of the missing parts surcharge fee (\$65.00) at the small entity rate.

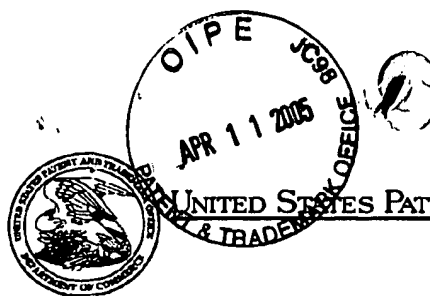
5. **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Dated: April 11, 2005
Morgan, Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Heather Boussios
Registration No. 52,704



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

Tucci

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/508,965	Matthew Gonda	051530-5007-US

INTERNATIONAL APPLICATION NO.

PCT/US03/08611

9629

MORGAN LEWIS & BOCKIUS LLP
 1111 PENNSYLVANIA AVENUE NW
 WASHINGTON, DC 20004

2/28/05 Attorney MST/PCS/HMB
 7530-5007
 Date 4/23/05
 ion missus Lee
 LR Chk BR

I.A. FILING DATE

03/20/2003

PRIORITY DATE

03/20/2002

CONFIRMATION NO. 9899

371 FORMALITIES LETTER



OC000000015239935

Date Mailed: 02/23/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/23/2004
- Copy of the International Search Report filed on 09/23/2004
- Preliminary Amendments filed on 09/23/2004
- Biochemical Sequence Listing filed on 09/23/2004
- Small Entity Statement filed on 09/23/2004
- U.S. Basic National Fees filed on 09/23/2004
- Priority Documents filed on 09/23/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

RECEIVED

The following items **MUST** be furnished within the period set forth below:

FEB 28 2005

MORGAN, LEWIS & BOCKIUS LLP

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/508,965	PCT/US03/08611	051530-5007-US